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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

<p>HEATHER P. LOMMATZSCH, an individual, Plaintiff, vs. TESLA, INC., a California Corporation, TESLA MOTORS UT, INC., a Utah Corporation, and SERVICE KING PAINT & BODY, LLC, a Texas Limited Liability Company DBA SERVICE KING COLLISION REPAIR, Defendants.</p>	<p>JOINT AND STIPULATED MOTION FOR DISMISSAL OF TESLA MOTORS UT, INC. WITH PREJUDICE Case No.: 2:18-CV-00775-PMW Judge David Nuffer Magistrate Judge Brooke C. Wells</p>
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Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the agreement between Plaintiff Heather P. Lommatzsch (“**Plaintiff**”) and Defendant Tesla, Inc., Defendant Tesla, Inc. will assume the defense and, only in the event of a judgment, indemnify Tesla Motors UT, Inc. with respect to Plaintiff’s claims against Tesla Motors UT, Inc. Accordingly, Plaintiff hereby stipulates to dismiss all causes of action against Tesla Motors UT, Inc. with prejudice. Tesla Motors UT, Inc. to bear its own costs and fees.

DATED this 14th day of January 2019.

SNELL & WILMER, LLP

/s/ Tracy H. Fowler

Tracy H. Fowler
Kristen J. Overton
and

BOWMAN AND BROOKE, LLP

Thomas P. Branigan
Matthew G. Berard
Attorneys for Defendant Tesla, Inc.

MACARTHUR, HEDER & METLER, PLLC

/s/ George L. Chingas, Jr.

George L. Chingas, Jr. (*signed with permission of G. Chingas received by email on 1/9/2019*)

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/s/ Heinz J. Mahler

Heinz J. Mahler (*signed with permission of H. Mahler received by email on 1/11/2019*)

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email on the following counsel on the 14th day of January 2019 and filed using this Court's CM/ECF system:

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